

GEORGIA PESTANA
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

MARTHA NIMMER
Special Assistant Corporation Counsel
Cell: (917) 499-8632

June 11, 2021

VIA ECF

Hon. Paul G. Gardephe
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *L.M. obo J.M. v. N.Y.C. Dep't of Education*, 21-cv-1733 (PGG)(SN)

Dear Judge Gardephe:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Georgia Pestana, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.*, as well as for this action.

I write to respectfully request a 30-day extension of Defendant's time to respond to the complaint, from June 14, 2021 to July 14, 2021. I am also requesting that the June 24, 2021 conference be adjourned to one of the following dates: August 3, 4 or 5, 2021.

Plaintiff consents to this extension of the time to answer as well as to the adjournment of the conference. This is the second request for an extension of the time to answer. The first request was made on April 2, 2021 and granted by Your Honor on April 6, 2021. The requested 30-day extension will provide the undersigned with time to receive settlement authority from the Comptroller's Office and make a settlement offer to Plaintiff. We are hopeful that the parties will settle this matter without the need for further burden on the Court's time.

Accordingly, Defendant respectfully requests that its time to respond to the complaint be extended to July 14, 2021, and the June 24, 2021 conference be adjourned to August 3, 4 or 5,

2021.

Thank you for considering this request.

Respectfully submitted,

/s/

Martha Nimmer

Special Assistant Corporation Counsel

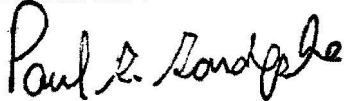
cc: Irina Roller, Esq (via ECF)

MEMO ENDORSED

The application to extend the response to the Complaint to July 14, 2021 is granted. The conference currently scheduled for June 24, 2021 is adjourned to August 19, 2021, at 10:00 a.m. by telephone.

The parties are directed to dial 888-363-4749 to participate, and to enter the access code 6212642. The press and public may obtain access to the telephone conference by dialing the same number and using the same access code. The Court is holding multiple telephone conferences on this date. The parties should call in at the scheduled time and wait on the line for their case to be called. At that time, the Court will un-mute the parties' lines. Two days before the conference, the parties must email Michael_Ruocco@nysd.uscourts.gov and GardepheNYSChambers@nysd.uscourts.gov with the phone numbers that the parties will be using to dial into the conference so that the Court knows which numbers to un-mute. The email should include the case name and case number in the subject line.

SO ORDERED.



Paul G. Gardephe
United States District Judge

June 14, 2021